

[Fourth Section Application No. 16537]

COTTONSEED OIL FROM LAUREL, MISS., TO NEW ORLEANS, LA.

OCTOBER 6, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: Gulf, Mobile and Northern Railroad Company.
Commodity involved: Cottonseed oil, in tank carloads.
From: Laurel, Miss.
To: New Orleans, La.
Grounds for relief: Circuitous routes.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 2766—Filed, October 6, 1936; 12:10 p. m.]

[Fourth Section Application No. 16538]

CORDAGE FROM HOUSTON, TEX.

OCTOBER 6, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: F. A. Leland, Agent.
Commodity involved: Cordage, viz: Manila and sisal rope, manila and sisal twine, also lath yarn, in carloads.
From: Houston, Tex.
To: Chicago and East St. Louis, Ill., and St. Louis, Mo.
Grounds for relief: Market competition and port equalization.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 2767—Filed, October 6, 1936; 12:10 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 5th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE ROANOKE-POWELL-HAYES HIGHLANDS-RUSSELL FARM, FILED ON AUGUST 31, 1936, BY R. E. PITTS, RESPONDENT:

CONSENT TO WITHDRAWAL OF FILING OF OFFERING SHEET AND ORDER TERMINATING PROCEEDING

The Securities and Exchange Commission, having been informed by the respondent that no sales of any of the interests covered by the offering sheet described in the title hereof have been made, and finding, upon the basis of such information, that the withdrawal of the filing of the said offering sheet, requested by such respondent, will be consistent with the

public interest and the protection of investors, consents to the withdrawal of such filing but not to the removal of the said offering sheet, or any papers with reference thereto, from the files of the Commission; and

It is ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same are hereby revoked and the said proceeding terminated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2777—Filed, October 6, 1936; 12:59 p. m.]

Thursday, October 8, 1936

No. 148

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

DESIGNATION OF UNDER SECRETARY, ASSISTANT SECRETARY, AND CHIEF OF THE WEATHER BUREAU, DEPARTMENT OF AGRICULTURE, TO ACT AS SECRETARY OF AGRICULTURE

By virtue of and pursuant to the authority vested in me by Section 179 of the Revised Statutes of the United States (5 U. S. C., sec. 6) I hereby authorize and direct the Under Secretary of Agriculture to perform the duties of the Secretary of Agriculture during the absence or sickness of the Secretary of Agriculture; and I hereby further authorize and direct the Assistant Secretary of Agriculture, and in his absence or sickness the Chief of the Weather Bureau of the Department of Agriculture, to perform the duties of the Secretary of Agriculture during the absence or sickness of both the Secretary of Agriculture and the Under Secretary of Agriculture.

This order supersedes Executive Order No. 6596 of February 9, 1934.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
October 6 1936.

[No. 7465]

[F. R. Doc. 2783—Filed, October 7, 1936; 10:47 a. m.]

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48549]

CUSTOMS REGULATIONS AMENDED—INVOICING OF WOOL AND HAIR

ARTICLE 767, CUSTOMS REGULATIONS OF 1931, AS AMENDED BY T. D. 45568, PRESCRIBING CERTAIN ADDITIONAL INFORMATION TO BE SHOWN ON INVOICES COVERING WOOL AND HAIR, FURTHER AMENDED

To Collectors of Customs and Others Concerned.

Pursuant to the provisions of Paragraph 1104 (U. S. C. title 19, sec. 1001) and Section 481 (a) (U. S. C. title 19, sec. 1481) of the Tariff Act of 1930, Article 767 of the Customs Regulations of 1931, as amended by T. D. 45568, is further amended as follows:

Delete item 10 of Article 767, as amended.

Item 11 is redesignated item 10.

[SEAL]

J. H. MOYLE,
Commissioner of Customs.

Approved, October 1, 1936.

WAYNE C. TAYLOR,
Acting Secretary of the Treasury.

[F. R. Doc. 2778—Filed, October 6, 1936; 4:05 p. m.]

[T. D. 48553]

CONVERSION OF CURRENCY—BRAZILIAN MILREIS

CONVERSION OF BRAZILIAN MILREIS FOR THE PURPOSE OF THE
ASSESSMENT OF DUTIES ON MERCHANDISE IMPORTED INTO THE
UNITED STATES

OCTOBER 5, 1936.

To Collectors of Customs and Others Concerned:

Reference is made to the instructions published in Treasury Decision 48467, of August 8, 1936,¹ regarding the collection of estimated duties in cases involving the conversion of Brazilian milreis.

Until further instructions are received from the Bureau of Customs or the Treasury Department, collectors of customs and customs appraising officers are hereby directed, in the case of imported merchandise exported from a foreign country on or after October 1, 1936, in respect of which Brazilian milreis must be converted into United States currency values for the purpose of assessment and collection of import duties, to make such conversion at the value for the milreis proclaimed by the Secretary of the Treasury under the provisions of section 522 (a) of the Tariff Act of 1930 (U. S. C., title 31, sec. 372a) for the quarter during which the merchandise was exported from the foreign country. In such cases the liquidation of the entries need not be suspended by reason of the instructions contained in T. D. 48467.

[SEAL]

WAYNE C. TAYLOR,
Acting Secretary of the Treasury.

[F. R. Doc. 2779—Filed, October 6, 1936; 4:05 p. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

RIVERTON IRRIGATION PROJECT, WYOMING

NOTICE OF ANNUAL WATER CHARGES—NO. 16

[Act of June 17, 1902, 32 Stat. 388, as amended and supplemented]

SEPTEMBER 21, 1936.

1. *Water rental.*—Irrigation water will be furnished upon a rental basis under approved applications for temporary water service during the irrigation season of 1937 and thereafter until further notice to those lands in private ownership and to those public lands opened under the orders "opening public land to entry" dated March 3, 1926, November 9, 1926, March 23, 1931, May 2, 1932, and January 31, 1933, against which assessments for water rental were not levied by the Midvale Irrigation District in 1936.

2. *Charges and terms of payment.*—The minimum water-rental charge for the irrigation season for 1937 and thereafter until further notice will be eighty cents (\$0.80) per acre for each irrigable acre of land in each 40-acre subdivision for which application has been or is hereafter made, which will entitle the applicant to two (2) acre-feet of water, or so much thereof as may be necessary for beneficial use, for said season. Payment of the minimum charge shall be made for the entire irrigable area of each farm unit of public land entered under orders "opening public land to entry" dated March 3, 1926, November 9, 1926, March 23, 1931, May 2, 1932, and January 31, 1933, and for the entire irrigable area in each 40-acre subdivision of private land for which application has been made or is hereafter made. Said minimum charge will be made against each acre of irrigable land whether or not water is used; shall be paid in advance on or before May 1, 1937, and no part of said charge will be refunded. Additional water will be furnished during said irrigation season at the rate of fifty cents (\$0.50) per acre-foot, payable on December 1, 1937. When water-rental application is submitted and approved after June 15, for public land entered under the reclamation law, and after August 1 for land in private ownership, the minimum charge shall

apply as a credit on the minimum charge for the following irrigation season.

3. *Penalty for non-payment.*—If payment of the minimum charge be not made on or before May 1 and payment for additional water furnished be not made on or before December 1, as herein provided, there shall be added to the amount unpaid a penalty of one-half of one per centum thereof on the first day of the third calendar month thereafter, and there shall be added a like penalty of one-half of one per centum on the first day of each month thereafter so long as such default shall continue, and no water shall be delivered to the owner or entryman in subsequent years until all such charges and penalties have been paid in full.

T. A. WALTERS,
First Assistant Secretary.

[F. R. Doc. 2780—Filed, October 7, 1936; 10:12 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

ORDER WITH RESPECT TO PAYMENTS UNDER THE 1936
AGRICULTURAL CONSERVATION PROGRAM

EAST CENTRAL REGION

Whereas, under the provisions of section 3, Part II, of East Central Region Bulletin No. 1, Revised, as amended, the rates of payments specified in section 2, Part II, of said bulletin are based upon an estimate of available funds and an estimate of approximately 80 percent participation by farmers in the 1936 Agricultural Conservation Program in the East Central Region, and it is also provided in said section 3, Part II, of said bulletin that, if participation in the East Central Region exceeds or is less than said 80 percent, then the rates of said payments in the East Central Region may be decreased or increased pro rata, as the case may be, provided that in no event will the rates be decreased or increased by more than 10 percent; and

Whereas, under the provisions of section 8, Part II, of said bulletin, it is provided that, in computing payments under the 1936 Agricultural Conservation Program, there shall be deducted from the payment to any person with respect to a farm or farms in a county all or such part as shall, under rules prescribed by the Secretary, be determined to be such person's pro rata share of the estimated administrative expenses incurred and to be incurred by the County Agricultural Conservation Association of the county in which such farm or farms are located, in cooperating in carrying out in such county the 1936 Agricultural Conservation Program; and

Whereas, most farmers participating in the 1936 Agricultural Conservation Program in the East Central Region have completed the practices in connection with which payments are to be made under said program; and

Whereas, at this time it is impossible to determine the full extent of participation by farmers in the 1936 Agricultural Conservation Program in the East Central Region and therefore to determine the adjustments, if any, to be made in the rates of the payments specified in section 2, Part II, of said bulletin, and the deductions for administrative expenses, which may be made under said program:

Now, therefore, I, H. A. Wallace, Secretary of Agriculture, pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, as amended, do hereby order:

(1) That pending determination by the Secretary of Agriculture of the adjustments, if any, to be made in the rates of the payments specified in section 2, Part II, of said bulletin, and determination of the deductions for administrative expenses, there shall be made, as soon as practicable, with respect to each Application for Payment, Form ECR-11, duly executed in accordance with the applicable rules and instructions except those applications with respect to which the application of the provisions of section 5, Part II, of said bulletin will result in a deduction from the soil-building pay-

¹ 1 F. R. 1057.

ment, an initial payment equal to 90 percent of the total payment computed in accordance with the rates, and subject to the conditions, in effect under said program as of the date hereof, and

(2) Subsequent to the date of such determinations, there shall be made with respect to each Application for Payment, Form ECR-11, duly executed in accordance with the applicable rules and instructions:

(a) To each person entitled thereto who has not previously received an initial payment pursuant to the paragraph numbered "(1)" above, one full and final payment; and

(b) To each person who has received an initial payment pursuant to the paragraph numbered "(1)" above, the balance of the payment to which he may be entitled which shall be computed by applying fixed percentages to the initial payment made pursuant to section 2, Part II, of said bulletin, and to the initial soil-building payment, respectively.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 7th day of October 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 2801—Filed, October 7, 1936; 12:13 p. m.]

ORDER WITH RESPECT TO PAYMENTS UNDER THE 1936 AGRICULTURAL CONSERVATION PROGRAM

NORTH CENTRAL REGION

Whereas, under the provisions of Section 6, Part II, of North Central Region Bulletin No. 1, Revised, as of September 17, 1936, the rates of payments specified in Sections 2, 3, and 4, Part II, of said bulletin are based upon an estimate of available funds and an estimate of approximately 80 percent participation by farmers in the 1936 Agricultural Conservation Program in the North Central Region, and it is also provided in said Section 6, Part II, of said bulletin that, if participation in the North Central Region exceeds or is less than said 80 percent, then the rates of said payments in the North Central Region may be decreased or increased pro rata, as the case may be, provided that in no event will such rates be decreased or increased by more than 10 percent; and

Whereas under the provisions of section 5, Part II, of said bulletin the rate of payment with respect to rice in the North Central Region is subject to the provisions of the 1936 Agricultural Conservation Program for the Southern Region with respect to rice; and

Whereas under the provisions of section 10, Part II, of said bulletin it is provided that, in computing payments under the 1936 Agricultural Conservation Program, there shall be deducted from the payment to any person with respect to a farm or farms in a county all or such part as shall, under rules prescribed by the Secretary, be determined to be such person's pro rata share of the estimated administrative expenses incurred and to be incurred by the County Agricultural Conservation Association of the county in which such farm or farms are located, in cooperating in carrying out in such county the 1936 Agricultural Conservation Program; and

Whereas, most farmers participating in the 1936 Agricultural Conservation Program in the North Central Region have completed the practices in connection with which payments are to be made under said program; and

Whereas, at this time it is impossible to determine the full extent of participation by farmers in the 1936 Agricultural Conservation Program in the North Central Region and therefore to determine the adjustments, if any, to be made in the rates of the payments specified in sections 2, 3, and 4, Part II, of said bulletin, and the deductions for

administrative expenses, which may be made under said program;

Now, therefore, I, H. A. Wallace, Secretary of Agriculture, pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, as amended, do hereby order:

(1) That pending determination by the Secretary of Agriculture of the adjustments, if any, to be made in the rates of the payments specified in sections 2, 3, and 4, Part II, of said bulletin, and determination of the deductions for administrative expenses, there shall be made, as soon as practicable, with respect to each Application for Payment, Form NCR-12, Form NCR-15, or Form NCR-17, duly executed in accordance with the applicable rules and instructions, an initial payment equal to 90 percent of the total payment computed in accordance with the rates, and subject to the conditions, in effect under such program as of the date hereof, and

(2) Subsequent to the date of such determinations, there shall be made with respect to each Application for Payment, Form NCR-12, Form NCR-15, or Form NCR-17, duly executed in accordance with the applicable rules and instructions:

(a) To each person entitled thereto who has not previously received an initial payment pursuant to the paragraph numbered (1) above, one full and final payment; and

(b) To each person who has received an initial payment pursuant to the paragraph numbered (1) above, the balance of the payment to which he may be entitled.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 7th day of October 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 2799—Filed, October 7, 1936; 12:13 p. m.]

ORDER WITH RESPECT TO PAYMENTS UNDER THE 1936 AGRICULTURAL CONSERVATION PROGRAM

SOUTHERN REGION

Whereas under the provisions of Section 5, Part II, of Southern Region Bulletin No. 1, Revised, as amended, the rates of the payments specified in Section 2, 3, and 4, Part II, of said bulletin are based upon an estimate of available funds and an estimate of approximately 80 percent participation by farmers in the 1936 Agricultural Conservation Program in the Southern Region, and it is also provided in said Section 5, Part II, of said bulletin that, if participation in the Southern Region exceeds or is less than said 80 percent, then the rates of said payments in the Southern Region may be decreased or increased pro rata, as the case may be, provided that in no event will the rates be decreased or increased by more than 10 percent; and

Whereas most farmers participating in the 1936 Agricultural Conservation Program in the Southern Region have completed the practices in connection with which payments are to be made under said program; and

Whereas at this time it is impossible to determine the full extent of participation by farmers in the 1936 Agricultural Conservation Program in the Southern Region and therefore to determine the adjustments, if any, to be made in the rates of the payments specified in sections 2, 3, and 4, Part II, of said bulletin, which may be made under said program;

Now, therefore, I, H. A. Wallace, Secretary of Agriculture, pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, as amended, do hereby order:

(1) That pending determination by the Secretary of Agriculture of the adjustments, if any, to be made in the rates of the payments specified in sections 2, 3, and 4, Part II, of

said bulletin, there shall be made, as soon as practicable, with respect to each Application for Payment, Form SR-9, duly executed in accordance with the applicable rules and instructions except those applications with respect to which the application of the provisions of Section 7, Part II, of such bulletin will result in a deduction from the soil-building payment, an initial payment computed in accordance with rates equal to 90 percent of the rates of the payments specified in Sections 2, 3, and 4, Part II, and of the rates of deductions provided for in Sections 6 and 7, Part II, of said bulletin in effect as of the date hereof, and 100 percent of the rates of the soil-building payments in effect as of the date hereof, respectively, subject to the conditions in effect under said program as of the date hereof, and

(2) Subsequent to the date of such determinations, there shall be made with respect to each Application for Payment, Form SR-9, duly executed in accordance with the applicable rules and instructions:

(a) To each person entitled thereto who has not previously received an initial payment pursuant to the paragraph numbered "(1)" above, one full and final payment; and

(b) To each person who has received an initial payment pursuant to the paragraph numbered "(1)" above, the balance of the payment to which he may be entitled which shall be computed by applying a fixed percentage to the initial payment made pursuant to Sections 2, 3, and 4, Part II, of said bulletin.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 7th day of October 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 2802—Filed, October 7, 1936; 12:14 p. m.]

ORDER WITH RESPECT TO PAYMENTS UNDER THE 1936 AGRICULTURAL CONSERVATION PROGRAM

WESTERN REGION

Whereas under the provisions of Section 6, Part II, of Western Region Bulletin No. 1, Revised, as amended, the rates of payments specified in Sections 2, 3, 4, and 5, Part II, of said bulletin are based upon an estimate of available funds and an estimate of approximately 80 percent participation by farmers in the 1936 Agricultural Conservation Program in the Western Region, and it is also provided in said Section 6, Part II, of said bulletin that, if participation in the Western Region exceeds or is less than said 80 percent, then the rates of said payments in the Western Region may be decreased or increased pro rata, as the case may be, provided that in no event will such rates be decreased or increased by more than 10 percent; and

Whereas, under the provisions of Section 10, Part II, of said bulletin it is provided that, in computing payments under the 1936 Agricultural Conservation Program, there shall be deducted from the payments to any person with respect to a farm or farms in a county all or such part as shall, under rules prescribed by the Secretary, be determined to such person's pro rata share of the estimated administrative expenses incurred and to be incurred by the County Agricultural Conservation Association of the county in which such farm or farms are located, in cooperating in carrying out in such county the 1936 Agricultural Conservation Program; and

Whereas most farmers participating in the 1936 Agricultural Conservation Program in the Western Region have completed the practices in connection with which payments are to be made under said program; and

Whereas at this time it is impossible to determine the full extent of participation by farmers in the 1936 Agricultural

Conservation Program in the Western Region and therefore to determine the adjustments, if any, to be made in the rates of the payments specified in Sections 2, 3, 4, and 5, Part II, of said bulletin, and the deductions for administrative expenses, which may be made under said program;

Now, therefore, I, H. A. Wallace, Secretary of Agriculture, pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, as amended, do hereby order:

(1) That pending determination by the Secretary of Agriculture of the adjustments, if any, to be made in the rates of the payments specified in sections 2, 3, 4, and 5, Part II of said bulletin, and the determination of the deductions for administrative expenses, there shall be made, as soon as practicable, with respect to each Application for Payment, Form WR-11 or Form WR-12, duly executed in accordance with the applicable rules and instructions, an initial payment equal to 90 per cent of the total payment computed in accordance with the rates, and subject to the conditions, in effect under said program as of the date hereof, and

(2) Subsequent to the date of such determinations, there shall be made with respect to each Application for Payment, Form WR-11 or Form WR-12, duly executed in accordance with the applicable rules and instructions:

(a) To each person entitled thereto who has not previously received an initial payment pursuant to the paragraph numbered (1) above, one full and final payment; and

(b) To each person who has received an initial payment pursuant to the paragraph numbered (1) above, the balance of the payment to which he may be entitled.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 7th day of October 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 2800—Filed, October 7, 1936; 12:13 p. m.]

ECR-B-1, Revised—Supplement (r)

Issued October 7, 1936.

1936 AGRICULTURAL CONSERVATION PROGRAM—EAST CENTRAL REGION

BULLETIN NO. 1 REVISED—SUPPLEMENT (R)

(a) Classification of Crops.—

Section 2, "Soil-Conserving Crops", of Part IV of East Central Region Bulletin No. 1 Revised as amended, is hereby further amended by changing the date at the end of the first paragraph thereof preceding subsection (a) from October 1, 1936, as provided in Supplement (n) to October 31, 1936.

(b) Acreage of winter legumes following soil-depleting crops.—

East Central Region Bulletin No. 1 Revised, as amended by Supplement (o), is hereby further amended by changing the date as provided in the second line of the first paragraph of Supplement (o) from October 1 to October 31.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture, to be affixed in the City of Washington, District of Columbia, this 7th day of October, 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 2788—Filed, October 7, 1936; 12:11 p. m.]

ECR-B-2—Supplement (b)

Issued October 7, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—EAST CENTRAL REGION

BULLETIN NO. 2—SUPPLEMENT (B)

Improving Land by the Use of Superphosphate

Part V of section 1, of East Central Region Bulletin No. 2¹ is hereby amended to read as follows:

Applying between January 1, 1936, and October 31, 1936, 16 per cent superphosphate, or its equivalent², on land used in 1936 for the production of any soil conserving crop, or in connection with seeding any legume, perennial grass, or green manure crop listed under I, II, or VII of this section 1.

Application per acre³:

1. Not less than 100 pounds, \$0.50.
2. Not less than 200 pounds, \$1.00.
3. Not less than 300 pounds, \$1.50.
4. Not less than 400 pounds, \$2.00.
5. Not less than 500 pounds, \$2.50.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 7th day of October 1936.

[SEAL]

H. A. WALLACE,

Secretary of Agriculture.

[F. R. Doc. 2795—Filed, October 7, 1936; 12:11 p. m.]

WR-B-1, Revised—Supplement (f)

Issued October 7, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

BULLETIN NO. 1, REVISED, SUPPLEMENT (F)

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 1, Revised, as amended by supplements (a), (b), (c), (d), and (e), is hereby further amended by this supplement (f), as follows:

PART VI. *Miscellaneous Provisions* is amended by striking out sections 3, 4, 5, 6, and 7, and by substituting in lieu thereof the following:

SECTION 3. *Division of Payments*.—(a) All payments, except with respect to rice⁴ shall be made to owners, share-tenants, and share-croppers who share in the principal soil-depleting crop, or the proceeds thereof, and shall be divided among owners, share-tenants, and share-croppers in the same proportion as the principal soil-depleting crop, or the proceeds thereof, is divided under their lease or operating agreement. Upon recommendation by the State committee or the Agricultural Adjustment Administration, and approval by the Secretary, a different basis for determining the persons to whom payment should be made and for dividing any of such payments may be employed. The term "principal soil-depleting crop" as used herein, means the soil-depleting crop to which the greatest number of acres on the farm is devoted in 1936: *Provided, however, That*

(1) If there is no soil-depleting crop which has a larger acreage in 1936 than any other soil-depleting crop, the principal soil-depleting crop shall be the soil-depleting crop which is of major importance in terms of acreage in the county in which such farm is located.

(2) If the gross Class I payment with respect to a crop having an individual soil-depleting base is larger than the gross Class I payment for diversion from the general soil-depleting base, or with respect to the crop which, pursuant to the foregoing provisions of this section 3, otherwise would be considered the principal soil-depleting crop, the former crop shall be the principal soil-depleting crop unless all persons entitled to share in payments with respect to the farm under the 1936 Agricultural Conservation Program agree that the principal soil-depleting crop shall be that determined according to the foregoing provisions of this section 3.

Upon the recommendation of the State Committee or the Agricultural Adjustment Administration, and approval by the Secretary, a different basis for determining the principal soil-depleting crop may be employed.

(b) Any share of soil-conserving or soil-building payments shall be made without regard to questions of title under State law, without

¹ 1 F. R. 325.² Payments shall be made with respect to rice in accordance with the provisions of section 5, part II.³ 1 F. R. 326.

deductions of claims for advances, and without regard to any claim or lien against the crop, or proceeds thereof, in favor of the owner or any other creditor.

(c) If the Secretary, upon the basis of an investigation by the State committee, finds that any person has for 1936 made any change from the 1935 leasing or cropping arrangement for the farm for the purpose of, or which would have the effect of, diverting to such person any payment to which tenants or share-croppers would be entitled if the 1935 leasing or cropping arrangement were in effect for 1936, the amount of any payment which would otherwise be made to such person may be withheld in whole or in part, and payments may be made to or divided among such tenants, or share-croppers in proportion to the share of the principal soil-depleting crop to which such tenants, or share-croppers, were entitled under the 1935 leasing or cropping arrangement.

SECTION 4. *Multiple Farm Holdings*.—If any person has made an application for payment with respect to two or more farms in a county, the payment to be made to such person shall be computed as follows:

(a) Computation of the Class I payment for diversion from the general soil-depleting bases and with respect to sugar beets and flax.

(1) Compute for each farm with respect to which such person has applied for payment the applicant's share of Class I payments computed with respect to the decrease from the general soil-depleting base and with respect to sugar beets and flax, and total the amounts thus obtained;

(2) Compute for each farm, with respect to which such person has applied for payment, the applicant's share of deductions for increase in the 1936 acreage of sugar beets, flax, and the crops in the general soil-depleting base, over the sum of sugar beets, flax, and general soil-depleting bases, and total the amounts thus obtained;

(3) Compute for each farm, with respect to which such person has applied for payment, the applicant's share of the maximum possible Class I payment provided in section 2 (a) of part II for diversion from the general soil-depleting base to soil-conserving crops plus the applicant's share of Class I payments with respect to sugar beets and flax, and total the amounts thus obtained;

(4) Subtract the total obtained under subsection (3) from the total obtained under subsection (1). The result, not in excess of the amount obtained under subsection (3), shall, subject to other applicable provisions of this Section, be the Class I payment to the applicant for diversion from the general soil-depleting base and with respect to sugar beets and flax: *Provided, however, That, if the total obtained under subsection (2) is larger than the total obtained under subsection (1), the difference shall be deducted from any payment other than a Class II payment which otherwise would be made to the applicant.*

(b) Computation of the Class I payment for diversion from the cotton soil-depleting bases.

(1) Compute for each farm, with respect to which the applicant has applied for payment, the applicant's share of Class I payments computed with respect to the decrease from the cotton soil-depleting base, and total the amounts thus obtained;

(2) Compute for each farm, with respect to which the applicant has applied for payment, the applicant's share of deductions for increase in the 1936 acreage of cotton over the cotton soil-depleting base, and total the amounts thus obtained;

(3) Compute for each farm, with respect to which the applicant has applied for payment, the applicant's share of the maximum possible Class I payment, provided in section 2 (b) of Part II for diversion from the cotton soil-depleting base to soil-conserving crops and total the amounts thus obtained;

(4) Subtract the total obtained under subsection (3) of this subsection (b) from the total obtained under subsection (1) of this subsection (b). The result, not in excess of the amount obtained under subsection (3) of this subsection (b) shall, subject to other applicable provisions of this section, be the Class I payment to the applicant for diversion from the cotton soil-depleting base: *Provided, however, That, if the total obtained under subsection (2) of this subsection (b) is larger than the total obtained under subsection (1) of this subsection (b), the difference shall be deducted from any payment which otherwise would be made to the applicant.*

(c) Computation of the Class I payment for diversion from the tobacco soil-depleting bases.

(1) Compute for each farm, with respect to which the applicant has applied for payment, the applicant's share of Class I payments computed with respect to the decrease from the tobacco soil-depleting base, and total the amounts thus obtained;

(2) Compute for each farm, with respect to which the applicant has applied for payment, the applicant's share of deductions for increase in the 1936 acreage of tobacco over the tobacco soil-depleting base, and total the amounts thus obtained;

(3) Compute for each farm, with respect to which the applicant has applied for payment, the applicant's share of the maximum possible Class I payment, provided in section 2 (c) of part II, for

*For provisions applicable where a person has made an application for payment with respect to one or more farms but has an interest as owner or operator in another farm or farms with respect to which no application for payment has been made, see section 6 of this part VI.

diversion from the tobacco soil-depleting base to soil-conserving crops, and total the amount thus obtained;

(4) Subtract the total obtained under subsection (2) of this subsection (c) from the total obtained under subsection (1) of this subsection (c). The result, not in excess of the amount obtained under (3) of this subsection (c), shall, subject to other applicable provisions of this section, be the Class I payment to the applicant for diversion from the tobacco soil-depleting bases: *Provided, however*, That if the total obtained under subsection (2) of this subsection (c) is larger than the total obtained under subsection (1) of this subsection (c), the difference shall be deducted from any payment which otherwise would be made to the applicant.

(d) *Computation of adjustments for failure to have a sufficient acreage of soil-conserving crops to qualify diversion from the general, the cotton, and/or the tobacco soil-depleting bases.*—If the total acreage of soil-conserving crops which qualify for diversion on such farms is less than the sum of the net decreases or maximum diversion (whichever is the smaller) from the general, the cotton and the tobacco soil-depleting bases, respectively, such amount of Class I payment tentatively determined under the foregoing provisions of this section shall be reduced by an amount computed as follows:

(1) Distribute the deficiency in acreage of soil-conserving crops among the soil-depleting bases on such farms to the extent of the decrease from each base on each such farm beginning with the base which has the lowest rate, pursuant to the provisions of Section 2 of Part II.

(2) Multiply the deficiency, thus apportioned to each base by the rate for such base on such farm, determined pursuant to the provisions of Section 2 of Part II. Multiply this result by the percentage to which the applicant is entitled on each such farm and total the amounts thus obtained.

(c) *Computation of deductions for failure to have minimum acreage of soil-conserving crops upon the farms with respect to which the applicant has applied for payment.*

(1) Compute for each such farm the minimum acreage of soil-conserving crops specified in section 7, part II, and total the amounts thus obtained.

(2) Compute for each such farm the acreage of soil-conserving crops which qualify to meet the minimum acreage requirements specified in section 7, part II, and total the amounts thus obtained.

(3) If the result obtained under subsection (1) of this subsection (c) is larger than the result obtained under subsection (2) of this subsection (c), multiply the excess by an amount equal to one and one-half times the rate per acre applicable to the farm having the highest rate determined pursuant to the provisions of section 2 (a) of part II.

(4) Divide the gross class I payment to the applicant by the gross class I payment for the farms with respect to which the applicant has applied for payment.

(5) Multiply the amount obtained under subsection (3) of this subsection (c) by the percentage obtained under subsection (4) of this subsection (c), and the resulting amount shall be deducted from the applicant's share of any payment other than a class II payment which otherwise would be made to the applicant.

(c) *Computation of the Class II payment with respect to farms upon which the applicant has applied for payment.*

(1) For each such farm, multiply the number of acres devoted to an approved soil-building practice by the rate specified for such practice, multiply this result by the percentage to which the applicant is entitled, and total the amounts thus obtained.

(2) For each such farm, compute the applicant's share of the soil-conserving crops which qualify to determine the soil-building allowance for such farm, total the amounts thus obtained, and multiply this result by one dollar.

(3) The amount obtained under subsection (1) of this subsection (f) not in excess of the amount obtained under subsection (2) of this subsection (f) shall be the amount of the Class II payment to the applicant.

SECTION 5. Computation of deductions for increase of soil-depleting acreage on a farm or farms with respect to which an applicant has not applied for payment.—(a) In the event that any person who makes an application for payment on any farm or farms has an interest as owner or operator in another farm or farms in the same county with respect to which he has made no application for payment and upon which farm or farms the aggregate 1936 acreage of all soil-depleting crops (not including rice) is in excess of the total soil-depleting base acreage (not including rice) for such farm or farms, there shall be deducted from the applicant's share of any payment, which otherwise would be made to the applicant, an amount which shall be computed as follows:

(1) Determine the net increase in soil-depleting acreage for all such farms in the aggregate.

(2) Distribute such excess acreage among such farms to the extent of the excess on each farm beginning with the farm which has the highest rate pursuant to the provisions of section 2 (a) of part II, and continuing until such net excess acreage is completely offset.

*Such share to be the same as the applicant's share of the payments for such farm as determined under the provisions of section 3 of this part VI.

(3) Multiply the excess acreage upon each farm ascertained according to the provisions of subsection (2) of this subsection (a) by the rate for such farm determined according to the provisions of section 2 (a) of part II; multiply this result by the percentage to which the applicant is entitled (such percentage to be determined pursuant to the provisions of section 3 (a) of this part VI) and total the amounts thus obtained.

(b) In the event that any person who makes an application for payment with respect to any farm has an interest as owner or operator in another farm or farms in another county within the State with respect to which he has made no application for payment and upon which farm or farms the aggregate 1936 acreage of soil-depleting crops (not including rice) is greater than the total soil-depleting base acreage (not including rice) for such farm or farms, the applicant's share of any payment may, in the discretion of the Secretary, be adjusted in order to offset such increase in soil-depleting acreage.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 7th day of October 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 2803—Filed, October 7, 1936; 12:14 p. m.]

WR-B-3—Supplement (c)

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

BULLETIN NO. 3, SUPPLEMENT (C)

Normal Yields of Flaxseed per Seeded Acre, Idaho and Washington

Section 5 B, Part II of Western Region Bulletin No. 3, as amended by Section 2, Western Region Bulletin No. 3, Supplement (b), is hereby amended by inserting the following county average normal yields of flaxseed per seeded acre immediately preceding the last paragraph thereof.

County:	IDAHO	Normal Yield
Bear Lake	20
Bentley	10
Boundary	10
Idaho	10
Jefferson	20
Latah	10
Lewis	10
Lincoln	20
Nee Perce	10
Twin Falls	20
	WASHINGTON	
Clark	11
Garfield	11
King	16
Lewis	12
Shoshone	16
Spokane	9
Whatcom	15
Whitman	10
Yakima	12

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 7th day of October 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 2784—Filed, October 7, 1936; 12:11 p. m.]

WR-B-4—Montana, Revised

Issued October 7, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

BULLETIN NO. 4—MONTANA, REVISED

County Average Rates of Soil-Conserving Payments in Connection With the General Soil-Depleting Base

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic

Allotment Act, Western Region Bulletin No. 1, Revised, is hereby supplemented with respect to its application to the State of Montana, but not otherwise, and Western Region Bulletin No. 4—Montana, is hereby revised and superseded as follows:

SECTION 1. County Average Rates of Soil-Conserving Payments for Production of Soil-Conserving Crops on Acreage Diverted from the General Soil-Depleting Base.—In accordance with the provisions of Section 2 (a) of Part II of Western Region Bulletin No. 1, Revised, and subject to the provisions of said bulletin and all other bulletins heretofore or hereafter issued, the county average rates of payment per acre to be used in determining payments for each acre of the general soil-depleting base which in 1936 is used for the production of soil-conserving crops, shall be as follows for the respective counties in the State of Montana:

County—Rate of Payment per Acre

Beaverhead, \$11.60; Big Horn, \$8.10; Blaine, \$8.70; Broadwater, \$9.60; Carbon, \$11.10; Carter, \$6.60; Cascade, \$10.10; Chouteau, \$9.40; Custer, \$5.80; Daniels, \$7.50; Dawson, \$6.40; Deer Lodge, \$9.90; Fallon, \$6.70; Fergus, \$9.20; Flathead, \$10.50; Gallatin, \$11.90; Garfield, \$5.80; Glacier, \$8.00; Golden Valley, \$5.50; Granite, \$9.70; Hill, \$7.60; Jefferson, \$8.40; Judith Basin, \$8.00; Lake, \$10.60; Lewis and Clark, \$8.00; Liberty, \$7.00; Lincoln, \$8.80; McCone, \$6.00; Madison, \$11.20; Meagher, \$6.80; Mineral, \$8.80; Missoula, \$9.40; Musselshell, \$5.30; Park, \$9.80; Petroleum, \$5.20; Phillips, \$7.10; Pondera, \$10.40; Powder River, \$6.20; Powell, \$8.80; Prairie, \$5.70; Ravalli, \$11.80; Richland, \$7.20; Roosevelt, \$7.10; Rosebud, \$6.00; Sanders, \$9.90; Sheridan, \$7.30; Silver Bow, \$10.60; Stillwater, \$7.80; Sweet Grass, \$8.00; Teton, \$10.70; Toole, \$7.70; Treasure, \$6.80; Valley, \$6.90; Wheatland, \$5.60; Wibaux, \$7.10; Yellowstone, \$8.40.

SECTION 2. Rates of Payment as Applied to Individual Farms.—For individual farms in the foregoing counties, the rate of payment for each acre of the general soil-depleting base (not in excess of 15 percent of the general soil-depleting base for any farm) which in 1936 is used for the production of a soil-conserving crop, shall be that rate determined by multiplying the county average rate for the county in which the farm is located, by the productivity index established for the farm in accordance with the provisions of Section 1, Part I, Western Region Bulletin No. 3, and then dividing the result by 100, except that for any farm on which normal summer fallow acreage represents a part of the total soil-depleting base established for such farm, a downward adjustment must be made in the farm rate, so determined, in proportion to the amount of acreage normally devoted to summer fallow which has been included in the total soil-depleting base established for the farm.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 7th day of October 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 2797—Filed, October 7, 1936; 12:11 p. m.]

WR-B-4—Utah, Revised.

Issued October 7, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

BULLETIN NO. 4—UTAH, REVISED

County Average Rates of Soil-Conserving Payments in Connection With the General Soil-Depleting Base

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 1, Revised, is hereby supplemented with respect to its application to the State of Utah, but not otherwise, and Western Region Bulletin No. 4—Utah, is hereby revised and superseded as follows:

SECTION 1. County Average Rates of Soil-Conserving Payments for Production of Soil-Conserving Crops on Acreage Diverted From the General Soil-Depleting Base.—In accordance with the provisions of Section 2 (a) of Part II of Western Region Bulletin No. 1, Revised, and subject to the provisions of said bulletin and all other bulletins heretofore or hereafter issued, the county average rates of payment per acre to be used in determining payments for each acre of the general soil-depleting base which in 1936 is used for the production of soil-conserving crops, shall be as follows for the respective counties in the State of Utah:

County—Rate of Payment Per Acre

Beaver, \$12.80; Box Elder, \$13.60; Cache, \$14.50; Carbon, \$13.50; Daggett, \$11.50; Davis, \$17.60; Duchesne, \$12.20; Emery, \$12.20; Garfield, \$12.20; Grand, \$14.60; Iron, \$13.40; Juab, \$10.00; Kane, \$12.20; Millard, \$10.50; Morgan, \$16.70; Piute, \$13.20; Rich, \$12.80; Salt Lake, \$15.70; San Juan, \$8.30; Sanpete, \$11.20; Sevier, \$17.10; Summit, \$11.80; Tooele, \$11.30; Uintah, \$12.40; Utah, \$16.30; Wasatch, \$14.10; Washington, \$15.40; Wayne, \$11.80; Weber, \$16.10.

SECTION 2. Rates of Payment as Applied to Individual Farms.—For individual farms in the foregoing counties, the rate of payment for each acre of the general soil-depleting base (not in excess of 15 percent of the general soil-depleting base for any farm) which in 1936 is used for the production of a soil-conserving crop shall be that rate determined by multiplying the county average rate for the county in which the farm is located by the productivity index established for the farm in accordance with the provisions of Section 1, Part I, Western Region Bulletin No. 3, and then dividing the result by 100, except that for any farm on which normal summer fallow acreage represents a part of the total soil-depleting base established for such farm, a downward adjustment must be made in the farm rate, so determined, in proportion to the amount of acreage normally devoted to summer fallow which has been included in the total soil-depleting base established for the farm.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 7th day of October 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 2798—Filed, October 7, 1936; 12:11 p. m.]

Bureau of Agricultural Economics.

AMENDMENT NO. 4 TO SERVICE AND REGULATORY ANNOUNCEMENTS NO. 126

By virtue of the authority vested in the Secretary of Agriculture by the United States Warehouse Act, approved August 11, 1916 (39 Stat. 1, pp. 446, 486), as amended, I, H. A. Wallace, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following amendment to the regulations of the Secretary of Agriculture for cotton warehouses approved April 27, 1931, and amended November 28, 1931, and July 18, 1935, under said Act, such amendment to be effective immediately.

Amend Regulations 5, Section 1, Paragraph 1, to read as follows:

PARAGRAPH 1. When requested in writing by the depositor of cotton in a licensed warehouse, or by the holder of the receipt covering such cotton, to insure such cotton against loss or damage by fire, lightning, and/or flood, each licensed warehouseman shall secure in his own name such insurance under reporting forms of policies which automatically attach for the full value of such cotton, including daily changes of value through market fluctuations and changes in the quantity of such product from day to day, as soon as such cotton is placed in his legal custody, and he shall continue such insurance in effect so long as the cotton remains in his legal custody. Such insurance shall be covered by lawful policies issued by one or more insurance companies. Each warehouseman insuring cotton under the provisions of this section shall submit such reports to underwriters as may be required under the terms of such policies, and copies of such reports shall be submitted to the Department as it may require. If the warehouseman is unable to procure insurance to the extent requested, he shall, orally or by telegraph or by telephone, and at his own expense, immediately notify the person making the request of such fact. When insurance is not carried in the warehouseman's name, the receipt shall show that the cotton is not insured by the warehouseman. Nothing in this section shall be construed to prevent a licensed warehouseman from adopting a rule that he will insure all cotton stored in his warehouse, but if he elects to insure he shall accomplish such insurance through policies as above specified.

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be hereunto affixed in the City of Washington, this 7th day of October 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 2804—Filed, October 7, 1936; 12:14 p. m.]

Bureau of Entomology and Plant Quarantine.

BEPQ—414.

ADMINISTRATIVE INSTRUCTIONS

TREATMENT REQUIREMENTS REMOVED AS A CONDITION FOR INTER-STATE SHIPMENT OF BALED LINT AND LINTERS, AND PRODUCTS THEREOF FROM THE COUNTIES OR PORTIONS OF COUNTIES OF THE PINK BOLLWORM REGULATED AREAS IN NEW MEXICO AND TEXAS DESCRIBED BELOW

SEPTEMBER 23, 1936.

In accordance with the authorizations contained in Regulations 8, 9, 10, and 11 of Quarantine No. 52 (Domestic), on account of the pink bollworm, notice is hereby given that baled cotton lint, baled cotton linters, and products thereof from all of Lea and Roosevelt Counties of the pink bollworm regulated area in New Mexico and from that part of the pink bollworm regulated area in Texas, comprising the counties of Andrews, Cochran, Ector, Gaines, Hockley, Terry, and Yoakum, and those parts of the counties of Bailey, Dawson, Lamb, and Midland particularly described in Regulation 3 of Quarantine No. 52 (revised), may be moved interstate without restriction, other than that a permit issued by the United States Department of Agriculture must be secured and attached to the articles or shipping papers in accordance with the methods prescribed in Regulation 15 of said quarantine.

The removal of treatment requirements for the above-mentioned products is considered safe due to the fact that no pink bollworm infestation has been found in the above-described areas during the 1935 season.

[SEAL]

LEE A. STRONG,
Chief, Bureau of Entomology and Plant Quarantine.

[F. R. Doc. 2805—Filed, October 7, 1936; 12:15 p. m.]

DEPARTMENT OF COMMERCE.

Bureau of Air Commerce.

SPECIAL AIR TRAFFIC RULE

OCTOBER 3, 1936.

Pursuant to the authority contained in Section 3 (e) of the Air Commerce Act of 1926, as amended (44 Stat. 568), the following Special Air Traffic Rule is promulgated for the operation of aircraft at or near Roosevelt Field, Garden City, Long Island, N. Y., for the period October 10 to 12, 1936, inclusive:

No aircraft shall be flown within one-half mile of the boundaries of Roosevelt Raceway at any altitude, except when landing or taking off from Roosevelt Field, unless special permission has been granted by the Secretary of Commerce. In landing and taking off, no aircraft shall be flown within the boundaries of the Raceway.

[SEAL]

DANIEL C. ROPER,
Secretary of Commerce.

[F. R. Doc. 2784—Filed, October 7, 1936; 11:53 a. m.]

FEDERAL POWER COMMISSION.

Commissioners: Frank R. McNinch, Chairman; Basil Manly, Vice Chairman; Herbert J. Drane, Claude L. Draper, Clyde L. Seavey.

ORDER SETTING HEARING

DOCKET NO. 5454 S, MONTANA-DAKOTA UTILITIES CO.

The following order was adopted:

Montana-Dakota Utilities Company of Minneapolis, Minnesota, having on October 6, 1936, filed with the Commission its application under Section 204 of the Federal Power Act for authority to issue \$2,300,000 ten-year 4½% convertible debentures, due October 1, 1946, for the purpose of applying the

proceeds toward reduction of outstanding funded debt of the Company, after paying expenses incidental to such issue:

It is ordered:

That a hearing be held on said application on Friday, October 16, 1936, at 10 a. m., in the Commission's hearing room, 8th floor, Carpenters Building, 1003 K Street NW., Washington, D. C.

Adopted by the Commission on October 6, 1936.

[SEAL]

LEON M. FUQUAY, *Acting Secretary.*

[F. R. Doc. 2782—Filed, October 7, 1936; 10:12 a. m.]

FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3rd day of October A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[Docket No. 2383]

IN THE MATTER OF CHARLES OF THE RITZ DISTRIBUTORS CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered that John J. Keenan, an examiner of this Commission, be and he hereby is, designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law.

It is further ordered, that the taking of testimony in this proceeding begin on Monday, October 12, 1936, at ten o'clock in the forenoon of that day (eastern standard time), in Room 424, 815 Connecticut Avenue, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 2781—Filed, October 7, 1936; 10:12 a. m.]

INTERSTATE COMMERCE COMMISSION.

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 22nd day of September A. D. 1936.

[Docket No. BMC 23390]

APPLICATION OF CARL MONROE CAIN FOR AUTHORITY TO OPERATE AS A BROKER

In the Matter of the Application of Carl Monroe Cain, Individual, Doing Business as C. M. Cain Tours, of 169 Carnegie Way, Atlanta, Ga., for a License (Form BMC 5), Authorizing Operation as a Broker for the Purpose of Arranging Transportation of Persons, in Interstate Commerce, in all the States of the United States and the District of Columbia

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner F. D. Binkley for hearing and

for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner F. D. Binkley on the 30th day of October A. D. 1936, at 10 o'clock a. m. (standard time), at the Atlanta-Biltmore Hotel, Atlanta, Ga.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 2785—Filed, October 7, 1936; 11:55 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 22nd day of September A. D. 1936.

[Docket No. BMC 86033]

APPLICATION OF HOWARD C. DINGMON FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of Howard C. Dingmon, of 187 E. Main Street, Norwich, N. Y., for a Permit (Form BMC 10, New Operation), Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, in the States of New York, Massachusetts, New Jersey, and Pennsylvania, Over the Following Routes

Route No. 1.—Between Norwich, N. Y., and Boston, Mass.

Route No. 2.—Between Norwich and New York, N. Y.

Route No. 3.—Between Norwich, N. Y., and Newark, N. J.

Route No. 4.—Between Norwich, N. Y., and Philadelphia, Pa.

Route No. 5.—Between Norwich and Buffalo, N. Y.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner D. C. Dillon for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner D. C. Dillon on the 21st day of October A. D. 1936 at 10 o'clock a. m. (standard time), at the U. S. Court Rooms, Binghamton, N. Y.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 2791—Filed, October 7, 1936; 11:56 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 22nd day of September A. D. 1936.

[Docket No. BMC 50366]

APPLICATION OF KENTUCKY MIDLAND COMPANY FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Kentucky Midland Company, a Corporation, of Box 127, Frankfort, Ky., for a Certificate of Public Convenience and Necessity (Form BMC 8, New Operation), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, in the States of Ohio, Kentucky, Indiana, and Tennessee, Over the Following Routes

Route No. 1.—Between Cincinnati, Ohio, and Louisville, Ky., New Albany and Jefferson, Ind.

Route No. 2.—Between Cincinnati, Ohio, and Athertonville, Ky.

Route No. 3.—Between Frankfort and Eminence, Ky.

Route No. 4.—Between Athertonville, Ky., and Nashville, Tenn.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner F. D. Binkley for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner F. D. Binkley, on the 20th day of October A. D. 1936, at 10 o'clock a. m. (standard time), at the Brown Hotel, Louisville, Ky.

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 2786—Filed, October 7, 1936; 11:55 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 22nd day of September A. D. 1936.

[Docket No. BMC 50453]

APPLICATION OF GEORGE H. MAYS AND HORACE LEACH FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of George H. Mays and Horace Leach, Co-partners, Doing Business as Leach and Mays Transfer, of Jellico, Tenn., for a Permit (Form BMC 10, New Operation), Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Commodities Generally, From and Between Points Located in the States of Tennessee, Kentucky, Indiana, Ohio, Alabama, and Georgia, Over Irregular Routes

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner F. D. Binkley for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner F. D. Binkley on the 19th day of October A. D. 1936, at 10 o'clock a. m. (standard time), at the U. S. Court Rooms, Knoxville, Tenn.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 2787—Filed, October 7, 1936; 11:55 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 22nd day of September A. D. 1936.

[Docket No. BMC 50503]

APPLICATION OF JESS MORGAN FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of Jess Morgan, of Box 7, Kirkwood, N. Y., for a Permit (Form BMC 10, New Operation), Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Coal and Bricks, in Interstate Commerce, in the States of New York, New Jersey, Pennsylvania, and Massachusetts, Serving, but not Limited to Forest City, Pa., Binghamton and New York, N. Y., Over Irregular Routes

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner D. C. Dillon for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner D. C. Dillon on the 21st day of October A. D. 1936, at 10 o'clock a. m. (standard time), at the U. S. Court Rooms, Binghamton, N. Y.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 2788—Filed, October 7, 1936; 11:55 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 22nd day of September A. D. 1936.

[Docket No. BMC 50527]

APPLICATION OF RALPH NIGGLI FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Ralph Niggli, of 153 Robinson Street, Binghamton, N. Y., for a Certificate of Public Convenience and Necessity (Form BMC 8, New Operation), Authorizing Operation as a Common Carrier by Motor Vehicle, in the Transportation of Coal and Fruit, in Interstate Commerce, From and Between Points in the States of Delaware, Maryland, New Jersey, New York, and Pennsylvania, Over Regular Routes

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner D. C. Dillon for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner D. C. Dillon on the 28th day of October A. D. 1936, at 10 o'clock a. m. (standard time), at the U. S. Court Rooms, Binghamton, N. Y.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 2789—Filed, October 7, 1936; 11:56 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 22nd day of September A. D. 1936.

[Docket No. BMC 50500]

APPLICATION OF PAUL ARTHUR TOMPKINS FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Paul Arthur Tompkins, of Fish's Eddy, N. Y., for a Certificate of Public Convenience and Necessity (Form BMC 8, New Operation), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, in the States of New York, Pennsylvania, New Jersey, and Connecticut Over the Following Routes

Route No. 1.—Between Fish's Eddy, N. Y., and Englewood, N. J.

Route No. 2.—Between New Milford, Conn., and Scranton, Pa.

Route No. 3.—Between New York City and Poughkeepsie, N. Y.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner D. C. Dillon for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner D. C. Dillon on the 21st day of October A. D. 1936, at 10 o'clock a. m. (standard time), at the U. S. Court Rooms, Binghamton, N. Y;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 2790—Filed, October 7, 1936; 11:56 a. m.]

[Fourth Section Application No. 16539]

COAL TO FLOYDADA, TEX.

OCTOBER 7, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: The Colorado and Southern Railway Company.
Commodity involved: Coal, in carloads.
From: Points in Colorado and New Mexico.
To: Floydada, Tex.
Grounds for relief: Circuitous routes.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 2792—Filed, October 7, 1936; 11:57 a. m.]

[Fourth Section Application No. 16540]

CYANAMID FROM NIAGARA FALLS, ONT., TO OMAHA, NEBR., AND COUNCIL BLUFFS, IOWA

OCTOBER 7, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: L. E. Kipp, Agent.
Commodity involved: Cyanamid (fertilizer), in carloads.
From: Niagara Falls, Ont.
To: Omaha, Nebr., and Council Bluffs, Iowa.
Grounds for relief: Circuitous routes.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 2793—Filed, October 7, 1936; 11:57 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

SECURITIES EXCHANGE ACT OF 1934

REGISTRATION OF SUCCESSOR PARTNERSHIPS, FIDUCIARIES

The Securities and Exchange Commission, deeming it necessary for the execution of the functions vested in it and neces-

sary and appropriate in the public interest and for the protection of investors so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, as amended, particularly Sections 15 (b) and 23 (a) thereof, hereby adopts the following rules:

RULE MB4. Registration of Successor Partnerships.—In the event that a partnership registered as a broker or dealer shall have been dissolved by the death, withdrawal, or admission of one or more partners, the registration of such partnership shall be deemed to remain effective, for a period of 60 days after the dissolution, as the registration of a successor partnership which is continuing the business of the registered partnership, provided that an application for registration on Form 4-M is filed by the successor partnership within 30 days after such dissolution.

RULE MB5. Registration of Fiduciaries.—The registration of a broker or dealer shall be deemed to be the registration of any executor, administrator, guardian, conservator, assignee for the benefit of creditors, receiver, trustee in insolvency or bankruptcy, or other fiduciary, appointed or qualified by order, judgment, or decree of a court of competent jurisdiction to continue the business of such registered broker or dealer, provided that such fiduciary files with the Commission, within 30 days after entering upon the performance of his duties, a statement setting forth as to such fiduciary substantially the information required by Form 3-M.

The foregoing action of the Commission shall be effective immediately upon publication.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 2808—Filed, October 7, 1936; 12:48 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 5th day of October, A. D., 1936.

[File 37-15]

IN THE MATTER OF REPUBLIC MUTUAL SERVICE COMPANY

ORDER PURSUANT TO RULE 13-22

Republic Mutual Service Company having filed an application pursuant to Section 13 (d) of the Public Utility Holding Company Act of 1935, and Rule 13-22 thereunder, for approval as a mutual service company; a hearing on such application having been held after appropriate notice; the record in this matter having been examined; and the Commission having filed its findings herein:

It is ordered, that Republic Mutual Service Company be, and it is hereby, approved as a mutual service company to perform services of the character described in such application.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 2810—Filed, October 7, 1936; 12:48 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 6th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE BRITISH-AMERICAN-CLARK FARM, FILED ON SEPTEMBER 22, 1936, BY S. LEROY ESTES, RESPONDENT

CONSENT TO WITHDRAWAL OF FILING OF OFFERING SHEET AND ORDER TERMINATING PROCEEDING

The Securities and Exchange Commission, having been informed by the respondent that no sales of any of the in-

terests covered by the offering sheet described in the title hereof have been made, and finding, upon the basis of such information, that the withdrawal of the filing of the said offering sheet, requested by such respondent, will be consistent with the public interest and the protection of investors, consents to the withdrawal of such filing but not to the removal of the said offering sheet, or any papers with reference thereto, from the files of the Commission; and

It is ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be, and the same are hereby, revoked and the said proceeding terminated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2814—Filed, October 7, 1936; 12:49 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 2nd day of October A. D. 1936.

[File No. 2-2408]

IN THE MATTER OF 965 FIFTH AVENUE CORPORATION

ORDER CONSENTING TO WITHDRAWAL OF REGISTRATION STATEMENT ON REQUEST OF APPLICANT, AND DISMISSING STOP ORDER PROCEEDINGS

The Commission, having due regard to the public interest and the protection of investors, upon the request of the registrant received on September 30, 1936, consents to the withdrawal of the registration statement of 965 Fifth Avenue Corporation; and, the said registration statement being so withdrawn, the Commission further dismisses a certain stop order proceeding under Section 8(d) of the Securities Act of 1933, as amended, the said stop order proceeding having been heretofore on September 21, 1936, instituted and being until now pending with respect to the aforesaid registration statement; and to that effect

It is so ordered.

By direction of the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2807—Filed, October 7, 1936; 12:48 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 6th day of October A. D. 1936.

[File No. 37-14]

IN THE MATTER OF CITIZENS UTILITIES COMPANY

ORDER GRANTING TEMPORARY EXEMPTION FROM THE PROVISIONS OF SECTION 13 (A) OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

Citizens Utilities Company, a registered holding company, having filed an application with the Commission on August 1, 1936 for an exemption from the provisions of Section 13 (a) of the Public Utility Holding Company Act of 1935; said application having been amended; a hearing upon said application having been duly held after appropriate notice; and the Commission having made and filed its findings herein;

It is ordered, that the services performed by the Citizens Utilities Company for its subsidiary companies be, and the same hereby are, exempted from the provisions of Section 13 (a) of the Public Utility Holding Company Act of 1935 for a period of six months from the date of this order on condition that such transactions shall comply with the provisions of such rules, regulations, or orders of the Commis-

sion as may be applicable, including Rule 13-31, and on a further condition that the applicant, in accordance with such rules and regulations, shall amend its method of allocating costs so as to charge itself for the expenses of its operations as a holding company and so that it will make direct charges so far as costs can be identified and related to particular transactions without excessive effort or expense.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2839—Filed, October 7, 1936; 12:48 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 6th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PURE-MAXFIELD FARM, FILED ON OCTOBER 1, 1936, BY W. R. BROWN & CO., INC., RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that in Item 13, Division II, it is stated that "The Van Pool is one of the most prolific pools in the United States, from the view point of per acre yield."

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 5th day of November 1936 that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Charles S. Moore, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 21st day of October 1936 at 11:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2311—Filed, October 7, 1936; 12:43 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 6th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE GULF-QUIS LEASE, FILED ON OCTOBER 1, 1936, BY
SECOND DEPENDABLE OIL CORP., RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)),
AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that in Item 13, Division II, the statement is made that "some of the leases producing from this formation have a total recovery to date of 80,000 barrels per acre with a sand thickness considerably less than the average drilled in this area" and "the original geology of the area showed that nearly all of the NW¼, Section 25, Township 6 North, Range 4 East, which includes this lease, would be productive."

(2) In that it is not thought necessary to rely upon any public record for the water content required to be stated in Item 16 (a) (iii).

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 5th day of November 1936; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Robert P. Reeder, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 21st day of October 1936, at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2813—Filed, October 7, 1936; 12:49 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 6th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE SUPERIOR-SIBLEY LEASE, FILED ON OCTOBER 1, 1936,
BY SECOND DEPENDABLE OIL CORP., RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)),
AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore, alleging that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that in Item 13, Division II, it is stated that "the entire field has proven to be one of the most prolific ever discovered anywhere" and "it appears that this (North) extension will prove to be one of the most prolific areas in the entire field."

(2) In that it is stated in Item 13, Division II, that approximately 20 producing oil and gas wells are located in the North extension.

(3) In that it is not stated in Item 13, Division II, that there are comparatively large areas in the field that have no wells.

(4) In that the producing formations and the other fields used in Item 13, Division II, for comparative purposes are not named.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 5th day of November 1936; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Robert P. Reeder, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 21st day of October 1936 at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2812—Filed, October 7, 1936; 12:49 p. m.]

Friday, October 9, 1936

No. 149

PRESIDENT OF THE UNITED STATES.

CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT

Montana

By the President of the United States of America

A PROCLAMATION

WHEREAS the Acting Secretary of Agriculture has submitted to me for approval the following regulation adopted by him under authority of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755):

REGULATION DESIGNATING AS CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT CERTAIN LANDS AND WATERS ADJACENT TO AND IN THE VICINITY OF THE RED ROCK LAKES MIGRATORY WATERFOWL REFUGE, MONTANA.

I, M. L. Wilson, Acting Secretary of Agriculture, after consideration of the exigencies of the migratory waterfowl and other migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, resident upon and resorting to the Red Rock Lakes Migratory Waterfowl Refuge in Beaverhead County, Montana, established by Executive Order No. 7023 of April 22, 1935, and enlarged by Executive Order No. 7172 of September 4, 1935, have determined that to allow the hunting, taking, capturing,

